

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF TELECENTRE OF)	
INDIANA, INC. FOR A CERTIFICATE OF)	
PUBLIC CONVENIENCE AND NECESSITY TO)	CASE NO. 93-199
PROVIDE INTRASTATE TELECOMMUNICATIONS)	
SERVICES)	

O R D E R

On May 26, 1993, Telecentre of Indiana, Inc. ("Telecentre") filed an application with the Commission seeking a Certificate of Public Convenience and Necessity to resell intrastate long-distance telecommunications services, including operator-assisted services, within the Commonwealth of Kentucky.

Telecentre is an Indiana corporation authorized to conduct business in the Commonwealth of Kentucky with its principal offices in the state of Indiana. Telecentre intends to resell tariffed services of facilities-based carriers certified by this Commission.

Telecentre does not own or operate, nor does it intend to construct, any telecommunications transmission facilities within the Commonwealth of Kentucky. All telecommunications transmission services will be provided by an underlying carrier certified by this Commission.

The application provided by Telecentre demonstrates its financial, managerial, and technical capability. The Commission finds that Telecentre should be authorized to resell intrastate

long-distance telecommunications services, including operator-assisted services, within the Commonwealth of Kentucky.

On May 26, 1993, Telecentre filed its proposed tariff. The Commission requested additional information on August 12, 1993. Telecentre filed its response to the Commission's Order September 13, 1993. After review, the Commission finds that the rates proposed by Telecentre should be denied. Furthermore, the proposed rules governing service should be approved with the following exceptions:

1. Refer to your September 13, 1993 response to Item 7(g), Original Sheet 17, Section IV(I)(1), Deposit Guidelines. Reduce the number of days that a customer's credit balance may be held to 30 days.

2. Refer to Original Sheet 22, Section IV(J)(4), Payment Arrangements, of Telecentre's proposed tariff filed May 26, 1993. Explain what costs are included in arriving at the administrative charge for returned checks. Provide cost justification for the charge.

3. Refer to your September 13, 1993 response to Item 7(k), Original Sheet 22, Section IV(J)(5), Payment Arrangements. Substitute the possessive form of the word "Commission."

4. Refer to your September 13, 1993 response to Item 7(n), Original Sheet 36, Section VI(2)(A)(1), Measured Charges. Clarify what types of operator-assisted calling services Telecentre will be providing its customers and the respective usage rates.

5. Refer to your September 13, 1993 response to Item 7(o), Original Sheet 38, Section VI(2)(B)(1), Measured Charges. Telecentre's operator services per minute usage charge still exceeds the rate charged for the 86-100 mileage band by South Central Bell Telephone Company ("SCB"). The rates for all the evening mileage bands are in excess of the discounted rates charged by SCB.

6. Refer to your September 13, 1993 response to Item 7(q), Original Sheet 39, Section VI(2)(B)(2), Fixed Service Charges. The rates proposed for Collect calls and Person to Person calls still exceed the rates charged by SCB for comparable calls.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, HEREBY ORDERS that:

1. Telecentre be and it hereby is granted authority to resell intrastate long-distance telecommunications services, including operator-assisted services, within the Commonwealth of Kentucky upon approval of its rates.

2. Telecentre's authority to provide service is strictly limited to those services described in this Order and Telecentre's application.

3. IntraLATA services shall be provided in accordance with the restrictions and conditions of service contained in Administrative Case No. 323.¹

¹ Administrative Case No. 323, An Inquiry Into IntraLATA Toll Competition, An Appropriate Compensation Scheme for Completion of IntraLATA Calls by Interexchange Carriers, and WATS Jurisdictionality, Phase I, Order Dated May 6, 1991.

4. The rates and charges proposed by Telecentre are hereby denied, as filed on May 26, 1993 and revised on September 13, 1993.

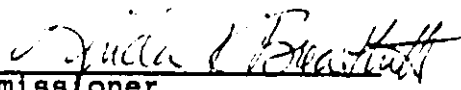
5. Within 30 days from the date of this Order, Telecentre shall file revised tariff sheets as outlined above and setting out rates no higher than AT&T Communications of the South Central States, Inc.'s tariffed rates for interLATA calls and SCB's tariffed rates for intraLATA calls, in accordance with Administrative Case No. 330² and the restrictions and conditions of service summarized in Appendix A to this Order.

Done at Frankfort, Kentucky, this 5th day of November, 1993.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

² Administrative Case No. 330, Policy and Procedures in the Provision of Operator-Assisted Telecommunications Services, Orders dated March 27, 1991 and May 3, 1991.

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 93-199 DATED November 5, 1993.

Conditions of Service for the Provision of Operator
Services Adopted from Commission Orders in Administrative
Case No. 330, Orders Dated March 27, 1991 and May 3,
1991.

(1) Operator-assisted services shall be subject to rate regulation and rates shall not exceed AT&T Communications of the South Central States, Inc.'s ("AT&T") maximum approved rates. "Maximum approved rates" is defined to mean the rates approved by this Commission in AT&T's most recent rate proceeding for measured toll service applicable to operator-assisted calls, as well as the additional charges for operator assistance. Carriers are not permitted to include any other surcharges or to bill for uncompleted calls. Time-of-day discounts shall also be applicable. Carriers are also required to rate calls using the same basis that AT&T uses to rate calls, i.e., distance calculations based on points-of-call origination and termination, definitions of chargeable times, billing unit increments, rounding of fractional units, and minimum usages. When there is any change in AT&T's maximum approved rates, carriers shall file tariffs if necessary to comply with the requirements herein within 30 days of the effective date of AT&T's rate change.

(2) Except as otherwise indicated in this Order, non-dominant carriers shall be subject to regulation as delineated in the May 25, 1984 Order in Administrative Case No. 273 as well as any subsequent modifications to non-dominant carrier regulations. In the event of conflict, the terms of the instant Order shall take precedence, unless

a carrier is specifically relieved from compliance with any conditions contained herein. AT&T shall remain subject to regulatory oversight as a dominant carrier.

(3) Operator service providers that provide service to traffic aggregators shall not allow access to the operator services of competing carriers to be blocked or intercepted. Blocking and interception prohibitions shall be included in tariffs and all contracts entered into with any traffic aggregator and shall state that violators will be subject to immediate termination of service after 20 days' notice to the owners of non-complying customer premises equipment.

(4) Traffic aggregator is defined to mean any person that, in the ordinary course of its operations, makes telephones available to the public or to transient users of its premises for intrastate telephone calls using a provider of operator services. Aggregators include hotels and motels, hospitals, universities, airports, gas stations, and non-local exchange carrier pay telephone owners. This definition includes the provision of all non-local exchange carrier pay telephones even if no compensation is paid to the owner of the pay telephone. The residential use of operator services is specifically excluded from this definition.

(5) Access to the local exchange carriers' operators shall not be blocked or otherwise intercepted by traffic aggregators. Specifically, all "0-" calls, that is, when an end-user dials zero without any following digits, shall be directed to the local exchange carrier operators. In equal access areas, "0+" intraLATA calls, that is, when an end-user dials zero and then dials the digits of the

called telephone number, shall not be intercepted or blocked. In non-equal access areas, it is prohibited to block or intercept "0-" calls; however, it is permissible to intercept "0+" calls. Blocking and interception prohibitions shall be included in tariffs and all contracts entered into with any traffic aggregator and shall state that violators will be subject to immediate termination of service after 20 days' notice to the owners of non-complying customer premises equipment.

(6) Carriers shall not be required to provide access codes of competitors. Each carrier should advise its own customers as to the appropriate 10XXX access code.

(7) Carriers shall provide tent cards and stickers to traffic aggregators to be placed near or on telephone equipment used to access their services and shall include provisions in tariffs and contracts entered into with any traffic aggregator that subject violators to immediate termination of service after 20 days' notice to the owners of non-complying customer premises equipment.

(8) Operators shall identify the carrier at least once during every call before any charges are incurred.

(9) Operators shall provide an indication of the carrier's rates to any caller upon request.

(10) Carriers shall not accept calling cards for billing purposes if they are unable to validate the card.